



# Austin City Council MINUTES

AUGUST 3, 1995

Mayor Pro Tem Garcia called the meeting to order, Councilmember Shea off the dais, Mayor Todd absent.

1. Approval of Minutes for Worksession of July 27, 1995, and Regular Meeting and Executive Session of July 28, 1995.

Approved on Councilmember Goodman's motion, Councilmember Garcia's second with corrections to item 64, 5-0 vote, Councilmember Shea off the dais, Mayor Todd absent.

## CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Richard R. Troxell, to encourage the City Council to adopt a comprehensive/cost effective drug and alcohol detoxification, job training/job placement program to assist homeless persons in working their way off the streets of Austin.

**Absent**

3. Mr. Gus Pena, to request that the Mayor, Council and City Manager address the issue of obtaining housing units from the new airport site to house homeless veterans; to discuss City concerns; to increase Parks' police personnel.
4. Mr. Joe Quintero, to discuss removal of soup kitchen from East Austin and East Austin public safety.
5. Mrs. Carmen Quintero, to request moving the soup kitchen from East Austin; address women and children's safety in East Austin.
6. Ms. Melissa Quintero, to discuss removal of soup kitchen from East Austin; to request public safety be increased in and around soup kitchen.
7. Mr. David Trevino, to discuss relocating the soup kitchen located on East Cesar Chavez and San Marcos Street from East Austin to West Second Street near day labor site.

**Absent**

8. Mr. Jerry Castanon, to request that the Mayor and City Council aggressively look into revitalizing East Austin and Montopolis; help Montopolis establish a youth baseball league.

**Absent**

9. Mr. Epifanio Martinez, to ask Mayor, Council and City Manager to hear the pleas for help regarding senior citizen issues and public safety; housing for East Austin homeless, specifically veterans; revitalize economy in our proud, great East Austin - Don't let us die out here.

**Absent**

10. Mr. Robert L. Thomas, to discuss Rosewood Park.

11. Mr. Mike Workman, to invite the Council and the community to events on Sunday, August 6th, to commemorate the 50th anniversary of the Hiroshima bombing and the 30th anniversary of the passage of the Voting Rights Act.

## ACTION ON CONSENT AGENDA

## BOARD AND COMMISSION REPORTS

12. RENAISSANCE MARKET COMMISSION - Mr. Mike Kleinman, to discuss homeless problem at West 23rd and Guadalupe.  
**Report given by Mike Kleinman**

## ITEMS CONTINUED FROM PREVIOUS MEETINGS

13. Authorize application for and acceptance of \$1,050,000 from the U.S. Department of Housing and Urban Development, Housing Opportunities for Persons with AIDS Program (HOPWA) to provide assistance to the homeless and low income persons with AIDS.  
**Approved**
14. Authorize application for and acceptance of \$285,000 from the U.S. Department of Housing and Urban Development, Emergency Shelter Grants (ESG) Program, to provide services for the homeless.  
**Approved**
15. Authorize application for and acceptance of \$2,588,000 from the U.S. Department of Housing and Urban Development, HOME Year 4 Investment Partnership Program funds to provide affordable housing through acquisition, rehabilitation, new construction of housing units and direct assistance to first-time homeowners. (City's match of \$602,250 is included in the proposed 1995-96 operating budget of Neighborhood Housing and Conservation Department.)  
**Approved**
16. Authorize submission of an application for \$9,000,693 in fiscal year 1995-96 (21st year) funds under the Community Development Block Grant (CDBG) Program to the U.S. Department of Housing and Urban Development; authorize acceptance of \$8,563,000 in 21st Year CDBG Entitlement funds; allocate \$8,563,000 in 21st Year CDBG Entitlement funds and \$437,693 of projected loan repayments from prior years' Program income; approve the 1995-96 Community Development Program. (Recommended by Community Development Commission)  
**Approved**

Items 13 through 16 approved on Councilmember Nofziger's motion, Councilmember Shea's second, 5-0-1 vote, Councilmember Mitchell abstaining, Mayor Todd absent.

## ORDINANCES

17. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 2900 to 3200 Blocks West William Cannon (North side) between Deaton Hill Drive and Stage Coach Trail, Case No. C14-94-0147, from "SF-2", Single Family Residence (standard lot) to "MF-2-CO",

Multifamily Residence (low density), BILL WALTERS, by Land Strategies, Inc. (Paul Linehan). First reading on July 20, 1995; Vote 7-0. Conditions met as follows: conditional overlay incorporates conditions imposed by Council. (Note: A petition of 6.05% has been filed in opposition to this request. **Ordinance No. 950803-I approved on Councilmember Mitchell's motion, Councilmember Shea's second, 6-0 vote, Mayor Todd absent.**

18. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 1206 & 1208 Parkway, Case No. C14-95-0027, from "MF-3", Multifamily Residence (medium density) and "LR", Neighborhood Commercial to "GR-CO", Community Commercial-Conditional Overlay, with the provision of the overlay as follows: (1) limit development to a density that will generate less than 2,000 vehicle trips per day; (2) prohibit access to North  $\pm$ amar Boulevard; and (3) prohibit Restaurant (drive-in, fast food) use, BILL YOUNGBLOOD, by The Austin Java Company (Gregory Cooper). First reading on July 27, 1995; Vote 6-0, Goodman out of room. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council. **Ordinance No. 950803-A approved**

19. Authorize acceptance of \$28,550 in additional grant funds from the Texas Department of Health for immunization initiatives; amend Ordinance No. 940912-D, the 1994-95 operating budget, amending the Special Revenue Fund by appropriating an additional \$28,550 in grant funds to the Health and Human Services Department (HHSD) Special Revenue Fund, for a total grant amount of \$262,086. **Ordinance No. 950803-B approved**

20. Authorize acceptance of \$21,824 in additional grant funds from the Texas Department of Health for the HIV counseling, testing, and partner notification program; amend Ordinance No. 940912-D, the 1994-95 operating budget, amending the Special Revenue Fund by appropriating an additional \$21,824 in grant funds to the Health and Human Services Department (HHSD) Special Revenue Fund, for a total grant amount of \$127,529; and authorize an additional 1.0 grant funded Full \_Time equivalent (FTE) position. **Ordinance No. 950803-C approved**

**Items 18 through 20 approved, on Councilmember Nofziger's motion, Councilmember Shea's second, 6-0, Mayor Todd absent.**

21. Approve an Ordinance amending Chapter 8-11, Parades, of the Code of the City of Austin, 1992 as amended, by amending the time period for parade permit application from five (5) days to ten (10) working days, and by amending the costs of policing parades by requiring applicants to pay for actual number of officers required to ensure the safety of the parade or procession. (Overtime expense of \$5,250 will be reimbursed by parade sponsors.) **Postponed to August 17, 1995**

22. Authorize acceptance of \$112,500 in grant funds from the U.S. Department of Justice for renewal of the Strategic Intervention for High Risk Youth demonstration program; amend Ordinance No. 940912-D, the 1994-95 operating budget, amending the Special Revenue Fund by appropriating \$112,500 in grant funds for the Health and Human Services Department (HHSD) Special Revenue Fund. **(Related to Item 23)**  
**Ordinance No. 950803-D approved**

## RESOLUTIONS

23. Authorize negotiation and execution of seven (7) month contract with YOUTH ADVOCACY, INC., for the provision of comprehensive youth services under the Strategic Intervention for High Risk Youth (SIHRY) demonstration grant program, in the amount of \$87,035. (Funding in the amount of \$56,928 is available from the U.S. Department of Justice; \$28,461 is available from the Electric Utility Department, Holly Good Neighbor Action Project; and \$1,646 from the Health and Human Services Operating budget.) [Related to Item 22]

**Approved**

24. Approve execution of a twelve (12) month supply agreement with MCMORRIS FORD, INC., Austin, Texas, for the purchase of repair parts for Ford sedans and light trucks in the City's fleet, in an amount not to exceed \$160,000 with two (2) twelve (12) month extension options in an amount not to exceed \$160,000 per each extension, for a total amount not to exceed \$480,000. [Funding in the amount of \$26,667 is available in the 1994-95 operating budget of the Fleet and Radio Maintenance Fund. Funding for the remaining ten (10) months of the original contract and the extension options is contingent upon available funding in future budgets.] Low bid of four (4). No M/WBE Subcontracting opportunities were identified.

**Approved**

25. Approve execution of a twelve (12) month supply agreement with LTD AUDIO VISUAL, INC, Margate, Florida, for the purchase of pre-recorded compact discs, cassette tapes, and phonograph albums for the Library Department, in an amount not to exceed \$50,000 with two (2) twelve (12) month extension options in an amount not to exceed \$50,000 per extension, for a total amount not to exceed \$150,000. (Funding in the amount of \$5,000 is available in the 1994-95 operating budget of the Library Department. Funding in the amount of \$17,265 was included in the 1994-95 Capital budget of the Library Department for the Oak Hill and Milwood Branch Libraries. Funding for the remainder of the original contract and extension options is contingent upon available funding in future budgets.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified.

**Approved**

26. Authorize negotiation and execution of agreement with Dessau Road Limited Partnership for purchase of approximately 1300' of 10"-27" wastewater line, manholes and appurtenances constituting a portion of the Upper Harris Branch Interceptor. (To be reviewed by Water and Wastewater Commission on August 2, 1995.) Recommended by Water and Wastewater Commission

**Approved**

27. Authorize the filing of eminent domain proceedings to acquire a waterline easement containing 0.811 of one acre land out of Lot 1, Hill Country Center Section Two, a subdivision in Williamson County, Texas, owned by Anderson Mill Joint Venture for the Anderson Mill Transmission Main Project. (Funding in the amount of \$3,533 was included in the 1992-93 Approved Capital budget of the Water and Wastewater Utility Department.)

**Approved**

28. Set a public hearing on the Juvenile Curfew Ordinance. (Suggested date and time: August 24, 1995 at 4:30 p.m.)  
**Approved**

29. Set a public hearing on an ordinance amending Section 13-89-3(s) of the Austin City Code (local amendments to the Building Code) by adopting the Model Energy Code 1993 edition and local amendments. (Suggested date and time: August 24, 1995 at 5:00 p.m.)  
**Approved**

Items 22 through 29 approved on, Councilmember Nofziger's motion, Councilmember Shea second, 6-0 vote, Mayor Todd absent.

#### ITEMS FROM COUNCIL

30. Report and presentation on the Colorado River Water quality from members of the Austin Youth River Watch Program and the "Water Droplets". (Councilmember Jackie Goodman)  
**Report given by Austin Youth River Watch Program and the "Water Droplets"**
31. Approve a resolution requesting that Time Warner Entertainment Company, L.P., make available a 24 hour channel to provide for government access programming including Austin music and musicians. (Fiscal impact of \$44,000 is included in the proposed 1995-96 operating budget of Finance and Administrative Services.) [Recommended by Council Committee for Telecommunications Infrastructure] (Mayor Pro Tem Gus Garcia)  
**Approved on Councilmember Nofziger's motion, Councilmember Shea's second, 6-0 vote, Mayor Todd absent.**

#### 4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

32. C14-95-0069 - RIVERSIDE GROUP (Delbert A. Trautmann, Jr.), by Minter, Joseph & Thornhill (Paul Juarez), 2300 to 2840 E. Riverside Drive. From GR to W/LO. Planning Commission Recommendation: To Grant W/LO, Warehouse Limited Office, subject to prohibit manufacturing and limited warehousing and distribution uses.  
**Ordinance No. 950803-H approved Planning Commission recommendation with added condition requiring a 25' vegetative buffer where the site abuts the apartment tract, on Councilmember Reynolds' motion, Councilmember Mitchell's second, 6-0 vote, Mayor Todd absent.**
33. C14-95-0074 - MARCENE THAXTON, by Bush & Associates (Matthew C. Bush), 1301 Lavaca Street. From CS-1 to CBD. Planning Commission Recommendation: To Grant CBD, Central Business District, zoning as requested.  
**Ordinance No. 950803-E approved**
34. C14-95-0075 - EXPRESS AUTOMOTIVE (Charles Dill), by Lozano, Ortiz & Kent Consulting (Fernando Solari), 4007 to 4011 Red River Street. From LR to GR. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay, zoning with the provision of the overlay to limit development to generate less than 2,000 vehicle trips per day.  
**Ordinance No. 950803-F approved Planning Commission recommendation**

35. C14-95-0078 - DAVIS LANE LTD. (Samuel Hanson), by Urban Design Group (Norma Pena Raven), Davis Lane and Brodie Lane. From I-RR to SF-2. Planning Commission Recommendation: To Grant SF-2, Single Family Residence (standard lot), zoning as requested.  
**Ordinance No. 950803-G approved Planning Commission recommendation**

TO BE HEARD BY PLANNING COMMISSION ON AUGUST 1, 1995; RECOMMENDATION TO FOLLOW

36. C14-95-0083 - TROJAN INVESTMENT (M. A. Bohsali), by Ken Small Architect (Ken Small), 3825 West Parmer Lane. From LO & GR to GR & LO.  
**Postponed to August 17, 1995 requested by Planning Commission**
37. C14-95-0090 - CHARLIE GOODNIGHT, by Michael Foster, 5638 West US Hwy. 290. From DR to GR.  
**Postponed to August 24, 1995 requested by Planning Commission**
38. C14-95-0096 - FLOYD MARTINE, by TM Program (Dean Anderson), 2819 Rio Grande. From MF-3 to GO-MU.  
**Postponed to August 24, 1995 requested by Planning Commission**

Items 33 through 38 approved on Councilmember Reynolds motion, Councilmember Mitchell's second, 6-0 vote, Mayor Todd absent.

39. C14-94-0143 - OSGOOD HEATING & AIR CONDITIONING (Nancy Osgood), by Graves, Dougherty & Hearon (David Herndon), 10933 to 10937 Jollyville Road. From LO & SF-2 to CS. Planning Commission Recommendation: To Grant GO-CO, General Office-Conditional Overlay, with the provision of the overlay to prohibit Medical Offices.  
**Approve first reading only, on Planning commission recommendation with the added condition to limit development to an intensity that generates less than 2,000 vehicle trips per day, and limit building height to 40', on Councilmember Reynolds motion, Councilmember Mitchell's second, 5-1 vote, Councilmember Goodman voting "NO", Mayor Todd absent.**

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held on the morning of this date on all other items.

Executive session held at 2:56 p.m. to 3:20 p.m.

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation and personnel matters as specifically listed on this agenda. The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Personnel Matters - Section 551.074

40. Appointment of Presiding Judge.

Advice of Counsel - Section 551.071

41. Legal advice on legislation passed during the 74th Legislature.

Staff Briefing - Section 551.075

42. Staff briefing on new legislation that may affect current ordinances and policies of the City of Austin. (City Council deliberation is not permitted under Section 551.075)
43. Staff briefing on airport construction issues. (City Council deliberation is not permitted under Section 551.075)
44. Staff briefing regarding the finalization of the Interlocal Cooperation Agreement between Travis County and the City of Austin Implementing the Balcones Canyonlands Conservation Plan-Shared Vision. (City Council deliberation is not permitted under Section 551.075)

Real Estate Acquisition - Section 551.072

45. Discuss fee simple acquisition of real property and improvements located at 5100 Johnson Road, Del Valle, Texas, for the Austin-Bergstrom International Airport.

ACTION ON THE FOLLOWING

46. Authorize fee simple acquisition of real property and improvements located at 5100 Johnson Road, Del Valle, Texas, for the Austin-Bergstrom International Airport.  
Approve \$114,733 and authorize an estimated \$57,058 in relocation benefits for the owners, on Councilmember Nofzigers' motion, Councilmember Shea's second, 6-0 vote, Mayor Todd absent.

ADJOURNED at 5:45 p.m. on Councilmember Reynolds' motion, Councilmember Mitchell's second, 5-0 vote, Councilmember Nofziger off the dais, Mayor Todd absent.

Approved on this the 17<sup>th</sup> day of August, 1995, with changes of Worksession to Special Called Meeting, on Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Shea off the dais.

